

REMARKS

The Examiner in paragraph 2 of the Official Action has objected to the drawings with regard to not showing every feature of the invention as specified in the claims. In response thereto, applicants have deleted claim 13, thus, this objection is no longer applicable.

The Examiner has also objected to claims 15-18 and 27 for the reason set forth therein. It is believed that these claims have been amended to overcome the objections, thus, it is believed that these objections are no longer applicable.

The Examiner has also rejected claims 10-18 and 23-26 under 35 USC § 112, second paragraph, for the reasons set forth therein. In response thereto, applicants have amended the claims. In particular, with respect to the rejection of paragraph 5, "central section" has been added after "said" in the last line.

With respect to paragraph 6, applicants have amended claim 12 to state that the ends "abut" each other as illustrated.

With respect to paragraph 7, claim 13 has been cancelled. Thus, this rejection is no longer applicable.

With regard to paragraph 8, claim 14 has been cancelled. Accordingly, this rejection is no longer applicable.

With respect to the rejections of paragraphs 9 and 10, claims 18 and 19 have been amended to refer to a "dual sided folded image product".

With regard to the rejection of claim 23, reference is now made to support substrate which there is provided ample support in claim 20.

Claims 24 and 25 have been cancelled. Thus, the rejections to paragraphs 12 and 13 are no longer applicable.

With regard to the rejection of claim 29, appropriate reference has been made to "leaf" instead of "dual sided integral composite image product".

The Examiner in paragraph 15, rejected claims 1, 2, 4, 5, 8, 9, and 47 under 35 USC § 102(b) as being anticipated by Applebaum et al. for the reasons set forth therein. Applicants respectfully submits that the Applebaum et al. is of little relevance to the present invention.

In particular, the Applebaum et al. reference is directed to an album wherein separate individual prints/panels e.g. 4 and 6 or 32, 34, and 36 are secured to hinge members 8, 10, or 38 and 40 respectively. This is in complete contrast to the present invention which is directed to a dual sided integral composite image product, which includes a support substrate having an image layer formed thereon. The two substrates are secured together to form a dual sided integral composite image product. Further, the integral composite has a fold line about which the integral composite may be folded. It is the integral composite image product that has the fold line. This is in contrast to the Applebaum et al. reference wherein there is provided a gap G. See column 5, lines 1-5. There is a gap because the individual panels are secured to the hinge material. Thus, it is not the integral product that has the fold line but the fold is formed because the two panels are separated and held together by this separate individual material 40 as illustrated in Fig. 6. Thus, the structure is totally apart and distinct from the present invention and thus could not anticipate the invention as taught and claimed by applicant. In Applebaum et al., it is not the image product that is folded but the fold is formed by a hinge which is totally apart and distinct from the present invention.

The Examiner in paragraph 16 rejected claims 10-14, 18-22, 27, and 28 under 35 USC § 102(b) as being anticipated by Viesturs et al. for the reasons set forth therein. Applicants respectfully submits that the Viesturs et al. is of little relevance to the present invention. In particular, independent claims 10, 20, upon which the remaining claims depend at least ultimately, includes the limitation that there is an image layer formed on the sheet or support layer. The Viesturs et al. reference is directed to a holder that has a pocket into which images may be placed. Thus, it is not the image product having an image thereon that is folded, but the holder that is folded. This is in complete contrast to the present invention and therefore could not teach or suggest the invention in the independent claims 10 and 20 and therefore could not anticipate the remaining dependent claims. Further, there is no teaching or suggestion that this could be applied to the image product having an image as taught and claimed by applicant. Since the Viesturs et al reference is directed to a holder for holding prints, there is no motivation or suggestion that the image product itself be folded. Quite the

contrary, if anything, this teaches away as this provides a means for folding of the holder and not the image product to which the present invention is directed.

The Examiner in paragraph 17 rejected claims 6 and 7 under 35 USC § 103(a) as being unpatentable over Applebaum et al.. Claims 6 and 7 are dependent at least ultimately upon an independent claim which has been shown to be patentably distinct. Accordingly, these claims are patentably distinct for the same reasons previously discussed.

Claim 3 in paragraph 18 has been rejected under 35 USC § 103(a) as being unpatentable over Applebaum et al. in view of Ohtake et al., US Patent No. 4,720,733 for the reasons set forth therein. Applicants respectfully submits that claim 3 which depends at least ultimately upon independent claim 1 is patentably distinct for the same reasons previously discussed. The Ohtake et al. reference does not teach or suggest anything which would render the independent claim obvious.

Claims 15, 17, and 23-26 in paragraph 19 have also been rejected under 35 USC § 103(a) as being unpatentable over the Viesturs et al.. As previously discussed, these dependent claims depend at least ultimately upon an independent claim which has been shown to be patentably distinct over the cited reference. Accordingly, these claims are also patentable over the cited references.

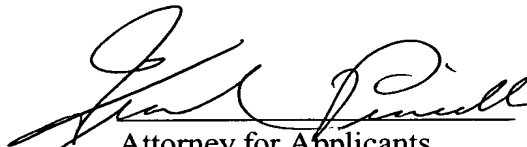
Claims 29-33, 44-46 have been rejected under 35 USC § 103(a) as being unpatentable over Hambright, US 6,164,859, in view of Pearce et al. US 6,076,989 for the reasons set forth therein. The Hambright reference is believed to be of little relevance to the present invention as this is also directed to a holder for holding prints and images. Hereagain, this is in direct contrast to the present invention wherein the print itself having the image thereon, is designed to be folded. The providing of a holder that is folded is in complete contradiction and teaches away from folding of the actual image print required of the rejected claims. Accordingly, it is respectfully submitted that these claims are patentably distinct over the cited references.

The Examiner in paragraph 21 rejected claim 34 under 35 USC § 103(a) as being patentable over Hambright in view³ of Pearce et al. and further in view of Hanson for the reasons set forth therein. Claim 34 is dependent at least ultimately upon claim 29 which has been shown to be patentably distinct. The

addition of Hanson and Pearce et al. do not teach or suggest anything that would render the independent claims obvious.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned **"Version with Markings to Show Changes Made"**.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Frank Pincelli', written over a horizontal line.

Attorney for Applicants
Registration No. 27,370

Frank Pincelli/djw
Rochester, NY 14650
Telephone: (716) 588-2728
Facsimile: (716) 477-4646

Version With Markings to Show Changes Made

In the Specification:

The paragraph beginning on page 2, line 9 has been amended as set forth below:

a sheet having a first side and a second side, the first side having an image layer ~~separate~~ formed on ~~from~~ the sheet, the sheet having two spaced fold lines which form a central section, ~~and~~ a first side section and a second side section, the central section being positioned between the first and second side sections, the side sections being folded on the central station so that the image layer is exposed.

The paragraph beginning on page 2, line 22 has been amended as set forth below:

a composite cover having a first support substrate having an ~~separate~~ image formed layer thereon, and a second support substrate having ~~separate~~ an image layer formed thereon, the second support substrate being secured to the first support substrate so as to form the dual sided integral composite image product; the integral composite image product having a fold line about which the integral composite image product may be folded;

The paragraph beginning on page 2, line 28 has been amended as set forth below:

at least one leaf having a first support substrate having ~~a separate~~ an image layer formed thereon, and a second support substrate having separate image layer thereon, the second support substrate being secured to the first support substrate so as to form the ~~dual-sided integral composite image product~~ leaf; and

The paragraphs beginning on page 3, lines 2-18 has been cancelled.

The paragraph beginning on page 3, line 21 has been amended as set forth below:

a first support substrate having ~~a separate~~an image layer formed thereon;

The paragraph beginning on page 3, line 22 has been amended as set forth below:

a second support substrate having ~~separate~~an image layer formed thereon, the second support substrate being secured to the first support substrate so as to form the dual sided integral composite image product; the integral composite image product having a fold line about which the integral composite image product may be folded;

The paragraph beginning on page 4, line 1 has been amended as set forth below:

a second support substrate having ~~separate~~an image layer formed thereon, the second support substrate being secured to the first support substrate so as to form the dual sided integral composite image product; the integral composite image product having a fold line about which the integral composite image product may be folded;

The paragraph beginning on page 4, line 10 has been amended as set forth below:

a support substrate having ~~separate~~an image layer formed thereon, the support substrate having a plurality of fold lines about which the image product may be folded; and

In the Claims:

Claims 13, 14, 24, and 25 have been cancelled.

Claims 10, 12, 15, 16, 17, 18, 19, 23, 26, 27, 29, 44, 45 and 47 have been amended as set forth below:

10.(Once Amended) A dual sided folded image product comprising;

a sheet having a first side and a second side, said first side having an image layer ~~separate from~~ formed on said sheet, said sheet having two spaced fold lines which form a central section, ~~and a~~ first side section and a second side section, said central section being positioned between said first and second side sections, said side sections being folded on said central section so that said image layer is exposed.

12.(Twice Amended) A dual sided folded image product according to claim 11 wherein of said side sections having an end that is substantially ~~about~~ abut each other.

15.(Once Amended) A dual sided ~~composite~~ folded image product according to claim 10 wherein said sheet is made from a photographic paper.

16.(Once Amended) A dual sided ~~folded~~ composite image product according to claim 10 wherein said sheet is made from a thermal media.

17.(Once Amended) A dual sided ~~folded~~ composite image product according to claim 15 wherein said sheet includes a photographic emulsion layer.

18.(Once Amended) A dual sided ~~folded~~ composite image product according to claim 10 wherein said composite image product comprises a cover for holding at least one leaf.

19.(Once Amended) A dual sided ~~folded~~ composite image product according to claim ~~4~~ 10 wherein said composite image product comprises a free standing product.

23.(Once Amended) A dual sided integral composite image product according to claim 20 wherein said ~~first and second~~support substrates ~~are~~ is made from a photographic media.

26.(Once Amended) A dual sided integral composite image product according to claim ~~24~~23 wherein said image layer comprises a photographic emulsion layer.

27.(Once Amended) A dual sided integral composite image product according to claim ~~1~~20 wherein said composite image product comprises a cover for holding at least one leaf.

29.(Once Amended) An image product comprising:
a composite cover having a first support substrate having an ~~separate~~ image formed layer thereon, and a second support substrate having ~~separate~~ an image layer formed thereon, said second support substrate being secured to said first support substrate so as to form said dual sided integral composite image product; said integral composite image product having a fold line about which said integral composite image product may be folded;

at least one leaf having a first support substrate having a separate image layer thereon, and a second support substrate having separate image layer thereon, said second support substrate being secured to said first support substrate so as to form ~~said dual sided integral composite image product~~leaf; and

an attaching member for securing said at least one leaf to said cover.

44.(Once Amended) A dual sided integral composite image product, comprising:

a first support substrate having ~~a separate~~an image layer formed thereon;

a second support substrate having ~~separate~~ an image layer formed thereon, said second support substrate being secured to said first support substrate so as to form said dual sided integral composite image product; said integral

composite image product having a fold line about which said integral composite image product may be folded;

an attachment section integrally formed with said first and/or second substrate.

45.(Twice Amended) An integral composite image product, comprising:

a first support substrate;

a second support substrate having ~~separate-an~~ image layer formed thereon, said second support substrate being secured to said first support substrate so as to form said integral composite image product; said integral composite image product having a fold line about which said integral composite image product may be folded;

an attachment section integrally formed with said first and/or second substrate.

47.(Twice Amended) A image product, comprising:

a support substrate having ~~a-separate-an~~ image formed layer thereon, said support substrate having a plurality of fold lines about which said image product may be folded; and

an attachment section integrally formed with substrate.

-End of document-